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Attorney Docket # 3397-139PUS

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mauri HILLO et al.

Serial No.: 10/538,029

Filed: June 8, 2005

For: Method for Use in a Conveyor and Conveyor

Examiner: Ramya G. PRAKASAM
Group Art: 3651

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Michael C. Stuart
Name of applicant, assignee or Registered Representative

Michael C. Stuart
Signature

February 2, 2007
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RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

SIR:

This is in response to the Office Action dated January 16, 2007.

Although the Office Action correctly notes that claims 11 to 40 are pending (thereby reflecting entry of the Preliminary Amendment filed with the application), the Office Action refers to claim 1, which has been cancelled. It will be presumed herein that the Office Action was instead referring to pending independent claim 11.

Applicant elects the claims of **Species A** for further prosecution in the above identified application.

The Office Action indicates that "claim 1" is deemed to be generic. As indicated above, it is assumed that the Office Action was actually indicating that independent method claim 11 is generic.

No reference was made in the Office Action to independent apparatus claim 21. Since claim 21 is an apparatus claim corresponding to method claim 11, it is respectfully submitted that claim 21 should be deemed generic for the reasons that claim 11 was deemed generic.


Applicant identify the following claims as encompassing the invention elected in Species A:

Claims 11 to 15, 17, 18, 20 to 24, 26, 27, 29 to 40.

Applicant reserves the right to pursue the non-elected claims in a divisional application prior to issuance of a patent on the instant application.

Any additional fees or charges required at this time in connection with the application may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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